TL 3857

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(3 pages)

amnesty international
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URGENT ACTION

EXTERNAL (for general distribution)

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UA 04/92 Death threats/Fear of Torture/Legal Concern 3 January 1992

INDONESIA/EAST TIMOR: Arrest and intimidation of suspected political activists in the wake of the Santa Cruz massacre

Scores of political activists in East Timor, including many young people and Roman Catholic priests, are reportedly being subjected to arbitrary arrest, incommunicado detention, beatings and death threats. Fourteen suspected political activists - all possible prisoners of conscience - face charges of subversion and may be tried unfairly. These human rights violations have occurred in the wake of the 12 November Santa Cruz massacre, when Indonesian security forces opened fire on participants in a memorial procession and killed an estimated 100 people (see UA 390/91, ASA 21/20/91, 12 November 1991).

Father Alberto Ricardo, the Vicar-General of the Diocese of Dili, has been subjected to repeated, intensive interrogation by the security forces since the 12 November incident. Interrogation appeared to have ceased briefly during the Christmas period but has reportedly now resumed. On 2 January 1992 Father Ricardo is said to have been subjected to continuous interrogation from 9am to 5.30pm, during which time he was threatened and verbally humiliated. As a result of these interrogations, colleagues say, Father Ricardo is in grave danger of a psychological breakdown.

Despite severe restrictions on communications with East Timor, recent reports indicate that military intimidation has intensified since the Santa Cruz massacre and that an atmosphere of fear and apprehension prevails in Dili. Local security forces appear to have used the 12 November incident as an opportunity for intimidating and imprisoning suspected opponents of Indonesian rule in East Timor. Participants in the 12 November procession, members of the clergy and people who have spoken with foreign tourists or journalists are among those at risk of arbitrary arrest and beatings. Scores of young people have reportedly been threatened with death and some may be at risk of extrajudicial execution.

The Indonesian Government has acknowledged holding 32 alleged political opponents. This number is believed to include 26 arrested after the Santa Cruz massacre and six thought to be among an estimated 20 people arrested during an incident at Motael parish church on 28 October, during which two people died (See UA 357/91, ASA 21/18/91, 28 October 1991). The government announced on 28 December that 14 of these detainees would be charged with subversion, an offence which carries a maximum penalty of death. The government said that a further 18 will face criminal charges.

Amnesty International believes that many and possibly all the 32 detainees in Dili may be prisoners of conscience. In addition, past practice has shown that subversion trials in Indonesia and East Timor have failed to meet international standards of fairness. Doubts about the forthcoming trials are heightened by reports that most of the detainees have been held incommunicado, interrogated without the presence of a lawyer and may have suffered ill-treatment or torture by their captors.

Amnesty International is an independent worldwide movement working for the international protection of human rights. It seeks the *release* of men and women detained anywhere because of their beliefs, colour, sex, ethnic origin, language or religious creed, provided they have not used or advocated violence. These are termed *prisoners of conscience*. It works for *fair and prompt trials* for *all political prisoners* and works on behalf of such ...

BACKGROUND INFORMATION

The Santa Cruz massacre occurred in the context of heightened tension over a visit to East Timor by a delegation of Portuguese parliamentarians. The visit was postponed shortly before the delegation was scheduled to arrive in early November. Sebastiao (Gomes) Rangel was one of two people reportedly killed on 28 October 1991 when Indonesian security forces opened fire in the compound of Motael Church, also in Dili. Military officials claimed the victims had died during a fight between pro-independence activists and "passers-by". Witnesses claimed that the "passers-by were in fact military intelligence agents". (See UA 357/91, ASA 21/18/91 28 October 1991; and follow up ASA 21/19/91 30 October 1991).

At least 25 and possibly many more students and young people, most of them East Timorese, remain in detention in various Indonesian cities after arrest during the latter half of November. Some or all of those detained may be prisoners of conscience detained by the security forces in order to prevent the dissemination of information about the Santa Cruz massacre and its aftermath (see UA 408/91, ASA 21/26/91, 22 November and follow ups ASA 21/28/91 of 29 November and ASA 21/29/91 of 10 December).

Indonesian forces invaded East Timor in 1975 after Portugal's withdrawal from its former colony. Since that time Amnesty International has continued to document serious human rights violations in the territory. Since late 1988 more than 400 people have been detained for their alleged involvement in political activities, at least 200 of them since early 1990. Many may be or may have been prisoners of conscience and many have been ill-treated or tortured in custody. At least 30 people and possibly many more, were victims of apparent extrajudicial executions since 1990 and there are hundreds of cases of unresolved "disappearance".

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing grave concern at reports that intimidation and other human rights violations have increased rather than diminished in the wake of the Santa Cruz massacre;

- in the light of these reports, urging the authorities to permit a full and thorough investigation into the Santa Cruz massacre and its aftermath, to be conducted under the auspices of the United Nations;

- seeking assurances that interrogation procedures will under no circumstances be used to intimidate or threaten those who have exercised their right to the peaceful expression of their political views;

- urging the authorities to ensure that doctors, lawyers and relatives are given access to those held in custody and that interrogation is conducted in the presence of an independent lawyer or doctor;

- urging the authorities to release all those detained solely for their non-violent political activities or beliefs;

- calling on the authorities to ensure that all those believed responsible for unlawful killings, torture or ill-treatment of detainees are brought promptly to justice.

APPEALS TO

1. Minister of Justice:
Ismail Saleh, SH
Jalan Rasuna Said, Kav 6-7
Kuningan, Jakarta Selatan, Indonesia
Telegrams: Justice Minister, Jakarta, Indonesia
Telexes: 44404 DITJENIM IA
Faxes: + 62 21 32 1625

Salutation: Your Excellency

2. Military Commander for East Timor:
Brig. Gen. Theo Syafei
Markas Besar KOREM 164
Dili, Timor Timur
East Timor
Telegrams: Brig. Gen Syafei, Dili, East Timor

Salutation: Dear Brigadier General

3. National Chief of Police:
Lieut. Gen. Drs. Kunarto
Kepala Kepolisian RI
Markas Besar Kepolisian RI
Jalan Trunojoyo 13
Kebayoran Baru, Jakarta Selatan
Indonesia
Telegrams: Lt. Gen. Drs. Kunarto, Kepala Kepolisian RI, Jakarta, Indonesia
Salutation: Dear Lieutenant General

4. Commander in Chief, Armed Forces:
General Try Sutrisno
Commander of the Armed Forces
Markas Besar ABRI, Cilangkap
East Jakarta, Indonesia
Telegrams: Gen. Sutrisno, Markas Besar Abri, Jakarta, Indonesia
Faxes: + 62 21 36 1471 (Armed Forces HQ)
+ 62 21 37 8144) (Army HQ)
+ 62 21 35 6404) " "
Salutation: Dear General

COPIES TO:

Governor of East Timor:
Ir. Mario Carrascalao
Gubernur KDH Tk. I Timor Timur
Jalan Inpantai D. Hendrikue, Dili.
East Timor

and to diplomatic representatives of Indonesia in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 February 1992